# HUDSPETH HEIRS LOSE INSURANCE

Judge Ingram Rules That There
Was Not Sufficient Proof of Death.

THREE POLICIES HAD LAPSED

R. A. Justis Paid Premiums on His Policy for Seven Years After Disappearance,

fter a trial lasting for almost s eck, the jury in the Law and Equity defendant in the suit of the Se-

of the death of the assured (Mr. Hudspeth), as is contemplated by the pollectes used on in this case, but they are not proofs of his death at all. It is argued, however, that all that could be was done, and I do not doubt it for one instant, but this does not solve the question, for we have a valid condition precedent that statement 'A' stalls to meet the requirements of. It is not the assurance company's fall.

wifalls to meet the requirements of. It fils not the assurance company's fault, OII is not the bank's fault, but the requirements of the law must be carried out, for there is an absence of proof of death. A witness for the plaintiff, R. A. Justis, testified on the stand that he had a similar policy on the life of Mr. Hudspeth, and that he was paid in full, but that he continued the payment of the premiums until seven years had elaysed from plaintiff, R. A. Justis, testified on the stand that he had a similar policy on the life of Mr. Hudspeth, and that he was paid in full, but that he continued the payment of the premiums until seven years had elapsed from ago, will come up Monday.

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Albert Stein, 428 East Broad St.

of the meaning of the requirements of such policies, I have no doubt that satisfactory proof of death with reasonable definiteness and certainty, and there must be turnished and established in the proofs, 'the fact of death with reasonable definiteness; for these reasons I shall give the instructions as asked for, which embody the law as the court understands it.

No Proof of Death.

"Can it be contended that in any sense in the light of these adjudged cases that statement 'A' establishes the fact of the death of Mr. Hudspoth with any reasonable definiteness? To repeat, the reading of statement 'A' answers the question in the negative."

A number of cases and authorities were then cited as to the meaning of proof and other points brought in the case.

"The court further decides that a

fact, then you must find for the plaintiff.

Courl's Instructions.

'That the policies sued on in this
case had lapsed by reason of nonpayment of premiums before the bringing of this suit, or that the suit was
brought before satisfactory proof of
the death of the assured had been
furnished to the defendant.

"That the statements set forth in the
statement are not such satisfactory
statement are not such satisfactory
statement are not such satisfactory
of the death of the assured satisfactory
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statement are not such satisfactory
of the death of the assured satisfactory
of the death of the satisfactory

furnished to the defendant before this suit was brought, then they must find for the defendant."

It was shown that in this case the plaintiffs did not pay the premiums except for one year after his disappearance while in the instance of Mr. Justis they were kept up for the full seven years.

It was shown that in this case the plaintiffs did not pay the premiums oxcept for one year after his disappearance while in the instance of Mr. Justis they were kept up for the full seven years.

Cotton Mills Company Indicted. River and Riverside Cotton Mills have been indicted for failure to provide proper facilities for fish to pass the

in every way aids in preserving the health and comfort of prospective mothers. Mother's Friend is a liniment for external massage, which by lubricating and expanding the different muscles and membranes, thoroughly prepares the system trug stores. Write for our free book for expectant mothers.

Captain of Brazilian Battleship Dischafged All Who Were Not Satisfied.
Norfolk, Va., March 10.—Brazilian Vice-Consul Barton Myers stated today that there had been no general discharges on the Brazilian battleship Minas Geraes because of dissatisfaction among the crew. Seventeen men, mostly Englishmen and Irishmen, Consul Myers said, requested their discharge, and this was allowed with pay, though the entire crew had signed to make the full voyage from England to Rio. Thirteen of the men were paid off and discharged on March 7 and four on the 8th, all relieving the ship of sending them back to England.

The commander of the Minas Geraes, hearing of dissatisfaction, called the crew on deck. All who wanted their discharges were told to step to the front. The seventeen discharges resulted.

The Minas Geraes carries between sol and sol men, and there will be no need of new men to take the places of those discharged, who are supposed to have learned that wages were better in the United States than they would find them in Brazil.

in any quantity; highest quality; prompt delivery. Our price list giving complete information, prices, varieties, etc., free upon request.

# News of Manchester

Mauchester Bureau Times-Dispaten, No. 1103 Hull Street.

That Manchester is making rapid strides in advancement was shown last night at the meeting of the Finance Committee, when the City Treasurer's balance sheet for the month of February was submitted. The report is as follows: Expenses—Streets generally, \$147.00; Board of Health, \$8.33; imcers' salaries, \$449.90; tax, real and personal, \$28; Committee on Health, \$114.10; fire department, \$173; lights, \$16.20; Maury Cemetery, \$150; police, \$470; Almshouse, \$50.83; interest, \$50.
\$50.21; interest, \$50.

The Second Ward annexation committee met last night in the Sergent's office. A resolution was adopted to the effect that the ward shall assemble next Tuesday night at the courthouse, when the public will be invited. Speeches will be made by William H. Owens, W. B. Bradley, L. R. Brown, Cornelius Wells. Mossrs. Brown and Owens will discuss the innexation or dinance, and Messrs. Bradley and Wells, the benefits accruing from annexation. The whole Second Ward committee was present last night—sixteen in number.

Judge McLemore will resentence the prisoner next week, naming the day

of execution.
One of Hardy's visitors to day was
Mrs. A. A. (Gus) Holland, of Holland.
He also had visits from clergymen.

SEVENTEEN ALLOWED TO GO.

The Minas Geraes carries between

MANY VISITORS EXPECTED.

Danville Will Entertain Odd-Fellows

and Rebekuh Assembly.

front. sulted.

The monthly meeting of the City Assembly is scheduled to be held to-night, preceding the meeting of the Board of Aldermen, when the latter will arbitrate on annexation. The Street Committee will convene after the adjournment of the Board of Aldermen.

Expresses Surprise, but Thinks Lynchburg's Outfielder Signs Contract to Train Young

TRAINING SCHOOL ASSURED.

[Special to The Times-Dispatch.] Chatham, Va., March 10,—The Chat-ham Training School is assured. The

#### COUGHING BURST BLOOD VESSEL

# **Cut Pine**

According to grade, Best Oak, one-half cord, sawed, \$3.00; Best Oak and Pine, one-half cord, long, \$2.75; hand picked sawed Pine, at \$3.25 one-half cord; good sawed Pine, at \$3.00 one-half cord. Lump coal, at \$4.50 per ton. Coke \$5.00 per ton this week. The leader in prices and quality to match.

ONG,

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American Writing Machine Co., 605 East Main Street.

and Rebekul Assembly.

[Special to The Times-Dispatch.]
Dauville. Va., March 10.—Danville
will have the pleasure of entertaining
more than 1,000 visitors May 3 to 11
inclusive, when the grand encampmentof Odd-Fellows, the Grand Lodge of
Odd-Fellows, and Rebekul Assembly,
the latter composed of women, convone in this city. The delegates will
come from all over the State of Virghila, and already the various committees are at work arranging to give
the visitors a cordial velcome. DROPSY Cured; quick relief; removes all the record of the retiring presidant series are managed cure. Frial treatment given from to sufferers; nothing fairer. Ditting officers were highly gratifying. It officers sons, Box E. Atlanta. Ga.

Negre Fireman Crushed to Death.
Warsaw, Va., March 10.—Thomas
Craigh, colored, fireman on the steamer
Wakefield, was so badly crushed in
the wheel of the steamer this morning while the steamer was lying at
McGuire's wharf, in Nominy Creek,
that he died later from the effect of
his injuries.

Plattaburg, N. Y., March 10.—An opportunity for Philander C. Knox, Jr., said to-day that he portunity for Philander C. Knox, Jr., said to-day that he son of the Secretary of State, to begin carving out a fortune and future for himself and his bride was tendered to him to-day, when a Plattaburg ovening newspaper wired him an offer of a position as a reporter. Young Mr. Knox, who eloped with Miss May Boler, of Providence, R. L. and married her in Vermont, was quoted yesterday as saying that his father had warned him that he would have to shift for himself.

coming. I am considering an offer in May Be Cub Reporter.

Providence, R. I., March 10.—Philan may accept, at least for a while."

women and 200 men, and has among its members the exclusive social peo-ple of the city. DISCUSS LUMBER GRADES.

McGuire's wharf, in Nominy Creek, that he died later from the effect of his injuries.

NEW OFFICERS ELECTED.

Danville, Va., March 10.—At a meeting of the board of governors of the Country Club liters tiffs afternoon, the following officers were elected for the ensuing year; Julian C, Jordan, president; J. P. Emberton Penn, vice-president; C. L. Booth, secretary and treasurer; Robert Hunter Bass, assistant secretary.

The reports of the waternoon is the following confliction of the differs present were flavery M. Dickson, of Norfolk, president; J. A. Willenson, of Bristol, vice-president; H. B. Ellimyer, of Cumberland, Md., secretary, and among the delegates present were Richard W. Price, of Balwert Proporties of the waternoon of the officers present were flebard W. Price, of Balwert Proporties of the waternoon of the officers present were flebard W. Price, of Balwert Proporties of the waternoon of the officers present were flebard W. Price, of Balwert Proporties and the proporties of the waternoon of the officers present were flavery M. Dickson, of Norfolk, president; H. B. Ellimyer, of Cumberland, Md., secretary, and among the delegates present were Richard W. Price, of Balwert Proporties and the proporties of the waternoon o

Children Cry FOR FLETCHER'S CASTORIA



campaign, which was set on foot last Friday night to canvass the town in the interest of the school, was reported at the adjourned mass meeting Tuesday, and the amount raised from the citizens and business people of the place was more than \$2,500. The board of trustees, in meeting last week, decided that if the town would raise than the first of next month. The town council, in meeting last week, decided that if the town would raise than the first of next month. The business before the meeting was more than \$2,500. The board of trustees, in meeting last week, decided that if the town would raise than the first of next month. The business before the meeting was to eliminate as much as possible next September. This building will next September the meddle of next September. This building will next September the meddle of next September. This building will next September the meddle of next September. This building will next September the meddle of next September. This building will next September the meddle of next September. This building will next September the meddle of next September. This building will next September the wildleng will next September the wildleng will next September. This building will next September the wildleng will next September the wildleng will next September the meddle of next September. This building will next September the will next September

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